

PHLY-24,739



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Jeffry Jovan PHILYAW and David Kent MATHEWS

Serial No.: 09/382,423

Filed: August 24, 1999

Group: 2755

Examiner: Not Yet Assigned

For: METHOD AND APPARATUS FOR UTILIZING AN AUDIBLE  
SIGNAL TO INDUCE A USER TO SELECT AN E-COMMERCE  
FUNCTION

PATENT

#4  
W. Langer  
10/14/00

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OCT - 6 2000

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Assistant Commissioner for  
Patents  
Washington, D.C. 20231

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20231 on

27 SEPT. 2000

(Date of Deposit)

Dear Sir:

John J. Arnott Reg. No. 39,095

(Name of Person Mailing Document)

John J. Arnott

(Signature)

9/27/00

(Date of Signature)

**INFORMATION DISCLOSURE STATEMENT**

In accordance with the requirements of 37 C.F.R. §§ 1.56, 1.97, and 1.98, attached please find a Form PTO-1449 listing information for consideration by the Office in connection with its examination of the above-captioned patent application. This information disclosure statement supplements an information disclosure statement previously submitted in connection with this application on September 22, 1999.

It is brought to the Examiner's attention that the references listed on the attached Form PTO-1449 were previously submitted to the Office in connection with a prior application, namely Application Serial No. 09/151,471, which is relied upon in the current application for an earlier filing date under 35 U.S.C. §120. Pursuant to 37 C.F.R. 1.98(d), copies of such previously submitted items are not provided herein.

To Applicants' knowledge, this information disclosure statement is being filed before the mailing date of a first Office Action on the merits. Therefore, pursuant to 37 C.F.R. §1.97(b)(3), no fee is believed necessary for its consideration. Applicants request that this information disclosure statement be considered and that a copy of the Form PTO-1449 be returned to the undersigned indicating the consideration of each document listed.

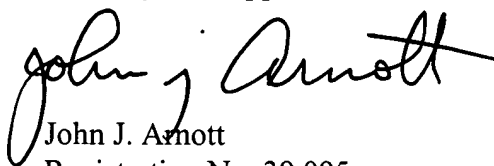
#### **REMARKS**

Applicants submit that no representation is made, and no representation is intended, that more relevant material does not exist, or that the order of presentation of these materials in any way reflects their relevant pertinence. The listing on the attached Form PTO-1449 is not intended to constitute an admission of any kind. Specifically, this presentation is not an admission that any of the items listed are properly citable against the above-identified application as prior art. Applicants respectfully submit that their invention is patentable over the enclosed documents listed on Form PTO-1449.

Please charge any additional fees or deficiencies in fees necessary for the filing of this paper or credit any overpayment to Deposit Account No. 20-0780/PHLY-24,739 of HOWISON, CHAUZA, HANDLEY & ARNOTT, L.L.P.

Respectfully submitted,

HOWISON, CHAUZA, HANDLEY & ARNOTT, L.L.P.  
Attorneys for Applicants

  
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